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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,579	12/18/2000	Tomoko Ishikawa	199648US0	9891

22850 7590 07/31/2002

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EXAMINER

NOTE, JANIS L

ART UNIT	PAPER NUMBER
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1756

DATE MAILED: 07/31/2002

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,579

Applicant(s)

ISHIKAWA et al

Examiner

J. DOTE

Group Art Unit

1756

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 5/30/02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-56 is/are pending in the application.
- Of the above claim(s) 1-26, 31, 33, 35, 36, 39, 41, 43, 45-56 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 27-30, 32, 34, 37, 38, 40, 42, 44 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☒ The drawing(s) filed on 12/18/00 is/are objected to by the Examiner
- ☒ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some* ☐ None of the:
 - ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 738
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

1. Applicants' election with traverse of Group II, claims 27-30, 32, 34, 37, 38, 40, 42, and 44, in Paper No. 10 filed on May 30, 2002, is acknowledged. The traversal is on the ground(s) that the examiner has not provided adequate reasons and/or examples to support a conclusion of patentable distinctness between the identified groups. Applicants also argue that a search of all the claims would not impose a serious burden on the Office, because "thousands of U.S. patents are issued in which many more than two subclasses are searched, and the Office cannot reasonably assert that a burden exists in searching only two subclasses."

This is not found persuasive. As set forth in the restriction requirement, the examiner has provided reasons as to why the toners of Group II are patentably distinct from the toners and method of making said toners of Group I. Applicants have not specially indicated the errors in the restriction or specifically articulated why the reasons for restriction are inadequate. In addition, applicants have not provided any reasons why the toners of Group II and the toners and method of making said toners in Group I are not patentably distinct, or stated on the record that the inventions of the two groups are obvious variations of each other.

Moreover, as set forth in the restriction requirement, the search for the toners of Group II and the search for the toners

and method of making said toners of Group I are not co-extensive. A search for the toners of Group II does not require a search in toner subclass 430/110.2 or in method of making subclass 430/137.14. Nor does a search for the toners of Group I require a search in subclass 430/110.1. The distinct searches and the distinct issues of patentability establish the burden on the Office. Furthermore, the search for the inventions of Groups I and II are not confined to only the three subclasses urged by applicants. The three class/subclasses discussed in the restriction requirement are only the "original" or principal class and subclass of each invention. They are not the only subclasses needed to search the inventions. For example, a search for the toners and method of making said toners of Group I also requires a search in class 430, subclasses 109.3, 110.4, 111.4, 137.11, 137.17, and 137.19.

The requirement is still deemed proper and is therefore made FINAL.

Claims 1-26, 31, 33, 35, 36, 39, 41, 43, 45, and 46-56 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicants timely traversed the restriction (election) requirement in Paper No. 10.

2. The Japanese Patent 10-26842 listed on the form PTO-1449 filed on Dec. 18, 2000, attached to Paper No. 7, has been crossed out by the examiner. The reference is not in the English language. The Information Disclosure Statement (IDS) filed in Paper No. 7 fails to comply with 37 CFR 1.98(a)(3)(i) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information. The reference has been placed in the application file and have not been considered as to the merits.

The copending US application 09/736,150 listed on the IDS filed on Jan. 24, 2002, Paper No. 8, has not been considered by the examiner. Copies of the claims and abstract provided by applicants are not, on their face, the abstract and claims of US application 09/736,150.

The examiner has only considered the copies of the drawings, claims, and abstract of copending US application 09/829,930, listed on the IDS filed in Paper No. 8, supplied by applicants.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

Figs. 1 through 5, the reference signs 1 through 7. See the instant specification, pages 44-48.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The disclosure is objected to because of the following informalities:

The use of trademarks, e.g., Unister M2222SL [sic: UNISTER M2222SL] at page 58, line 24, has been noted in this application. The trademarks should be capitalized wherever they appear and be accompanied by the generic terminology. This example is not exhaustive. Applicants should review the entire specification for compliance.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Appropriate correction is required.

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

In claim 37, the recitation "R¹ and R² . . . represents . . . an alkyl group" lacks antecedent basis in the specification. See page 25, line 15, of the specification, which discloses that said R groups can be an alkyl group having 1 to 8 carbon atoms. The alkyl group recited in claim 37 is broader than the disclosed alkyl group having 1 to 8 carbon atoms, because it includes alkyl groups having more than 8 carbon atoms.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 is indefinite in the phrase "a particular wax having a particle diameter of 0.01 μ m or more" (emphasis added) because it is not clear whether "a particular wax" recited in

claim 28 refers to the particular wax recited in claim 27 or to another particular wax.

8. Claims 27 and 28 are objected to because of the following informalities:

Claims 27 and 28 refer to both a toner and a toner particle. For example, claim 27 recites "at a depth of greater than 0.1 μm from the surface of the toner particle"; while claim 28 recites "at a depth of 0.1=1 μm from the surface of the toner. Unless applicants intend to distinguish "toner" from "toner particle," only one term, "toner" or "toner particle," not both, should be used.

Claim 27 refers to both a particular wax and wax particles. Unless applicants intend to distinguish "particular wax" from "wax particles," only one term, "particular wax" or "wax particles," not both, should be used.

Note that any claim dependent from claim 27 should also reflect applicants' choice of terms.

Appropriate correction is required.

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and

potential 35 U.S.C. 102(e), (f), or (g) prior art under 35 U.S.C. 103(a).

12. Claims 27-30, 32, 34, and 40 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over US 2002/0028402 A1 (Matsuoka).

Matsuoka discloses a negatively chargeable toner comprising toner particles comprising a binder resin, a colorant, and paraffin wax. See Table 2, the yellow toner of example 1, and paragraph 0126. The binder resin comprises a linear and non-linear polyester resins. The paraffin wax has a melting point of 85°C, which is within the range of 30 to 100°C recited in instant claim 32. The wax is present in an amount of 4.95 wt% based on the weight of the binder resin. The amount of 4.95 wt% is within the range of from 1 to 35 parts recited in instant claim 34. (The amount of 4.95 wt% is determined from the data presented at paragraph 0115.) The toner has a volume-average particle size of 7.8 μm , which is within the range of from 4 to 10 μm recited in instant claim 29. The wax is dispersed in the binder resin having a dispersed particle size (or diameter) of 0.8 μm . The particle size of 0.8 μm is within the particle size ranges recited in instant claims 28 and 30. The wax particles are present on the surface of the toner particles in an amount of 4.2 wt% based on the total weight of the wax present in the

toner. See Table 2. This amount of 4.2 wt% translates into an amount of 0.21 wt% of wax particles based on the total weight of the binder resin. The surface of the toner particles is defined as a layer extending from the top of the toner particle to a depth of 0.1 μm as shown as d_2 in Fig. 2. Paragraph 0059.

Matsuoka does not explicitly disclose that the releasing agent particles have a half-width of 0.06 μm or less. Nor does Matsuoka disclose that the wax particles are present in the toner in the ratio recited in instant claim 27. However, as discussed above, the amount of wax particles present in the toner particles within the surface of the toner particles to a depth of 0.1 μm is 4.2 wt% based on the total weight of wax present in the toner particles, which translates into an amount of 0.21 wt% based on the total weight of the binder resin. The amount of wax present in the toner particles outside of the surface layer is about 4.74 wt% based on the weight of the binder resin. As seen in Fig. 2, the number of particles of releasing agent in the surface layer of 0.1 μm is much less than the number of particles at a depth of 0.1 μm and more.

In addition, the instant specification at page 49, lines 4-11, discloses that when the toner particles of the invention are made by agglomerating and fusing resin encapsulated wax particles, the wax particles in the resulting toner particles are "considered substantially to maintain the particle diameter

at a time when present in the" resin encapsulated wax particles. In other words, the wax particles dispersed in the toner particles have the same or substantially the same particle size as the wax particles present in the resin encapsulated wax particles before agglomeration and fusion. The instant specification also shows that toner particles made by agglomerating and fusing said resin encapsulated wax particles can comprise wax particles having a half-width number-average particle size of 0.06 μm or less and dispersed in the toner particles as recited in instant claim 27. Instant specification, example 1. Such toner particles can be fixed over a temperature range of 130 to 220°C, have excellent antiblocking characteristics, and provide OHP transparencies having a transmission of 70%. Specification, table at page 132, example 1.

Matsuoka discloses that the initial wax particles used to make his toner particles have an initial average particle size of 0.81 μm . Paragraph 0113, line 15. As discussed above, the average wax dispersion particle size in Matsuoka's toner particles is 0.80 μm . See Table 2, yellow toner. Matsuoka discloses that his toner particles provide OHP transparencies having a transmission of 80%, have good anti-thermal blocking characteristics, and can be fixed from a range of 130 to 200°C without offset. See Table 3, yellow toner. In summary,

Matsuoka's toner (1) meets the compositional limitations and physical limitations (toner and wax average particle sizes) recited in the instant claims, (2) has a small relative amount of wax particles in the surface layer of 0.1 μm of the toner particles, (3) is made by a method where the particle size of the wax particles dispersed in the toner particles is substantially the same as the particle size of the initial wax particles used in making the toner particles, and (4) appears to have properties that are similar or substantially similar to those of toner particles comprising wax particles that meet the particle size distribution and location limitations recited in instant claim 27. Accordingly, it is reasonable to presume that Matsuoka's wax particles dispersed in the toner particles have the particle size distribution and location limitations recited in instant claim 27. The burden is on applicants to prove otherwise. In re Fitzgerald, 205 USPQ 594 (CCPA 1980).

13. Claims 27, 29, 32, 34, and 40 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over US 6,177,233 B1 (Hashimoto).

Hashimoto discloses a negatively chargeable toner comprising toner particles comprising a binder resin, a colorant, and a particulate wax. See example 1 at cols. 27-29. The wax has a melting point of 70°C, which is within the range of 30 to 100°C recited in instant claim 32. The wax is present in an amount of

32.2 wt% based on the weight of the binder resin. The amount of 32.2 wt% is within the range of from 1 to 35 parts recited in instant claim 34. (The amount of 32.3 wt% is determined from the data presented at col. 28.) The wax particle is dispersed in the binder resin as shown in the cross-sectional view of the toner particle shown in Fig. 7A, where the wax particle 72 is enclosed in the binder resin 71. The wax particle showed a dispersion state having an average r/R of 0.44 between r (maximum longer-axis of the wax particle(s) enclosed within each toner particle) and R (longer-axis diameter of the toner particle). Col. 29, lines 7-28. The weight-average particle size of the toner particles is 6.4 μm . Col. 28, line 67. Assuming that the weight-average particle size or diameter is approximately equal to R , the average r would be about 2.8 μm (6.4×0.44). Thus, the average distance between the wax particle and the surface of the toner particle would be about 1.8 μm . Because there is only one wax particle in the toner particle and there appears to be no wax particles present in the toner particle at a depth of 0.1 μm , Hashimoto's wax particle meets the particulate wax size distribution and location limitations recited in instant claim 27.

Hashimoto does not explicitly disclose that his toner particles have a volume average particle size of 3 to 12 μm as

recited in the instant claims. However, as discussed above, Hashimoto discloses that his toner particles have a weight-average particle size of 6.4 μm . Hashimoto discloses that the weight-average particle size can be determined from a number-basis particle distribution determined by a Coulter Counter TA-II (made by the Coulter Company). Hashimoto teaches that from said distribution, a weight-average particle size and a volume-average particle size can be determined. Col. 10, lines 14-38. The instant specification at page 54, lines 15-17, discloses that the volume-average particle size is determined by a Coulter Counter Multisizer II. Assuming that the toner particles have uniform density, the numerical value of weight-average particle size would be the same as the numerical value of the volume-average particle size. Therefore, it is reasonable to conclude that Hashimoto's toner particles have an average volume weighted particle size of about 6.4 μm , which is within the particle size ranges recited in instant claims 27 and 29. The burden is on applicants to prove otherwise. Fitzgerald, supra.

14. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka combined with US 5,213,932 (Shimazaki).

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto combined with Shimazaki.

Matsuoka discloses a toner as described in paragraph 12 above, which is incorporated herein by reference.

Hashimoto discloses a toner as described in paragraph 13 above, which is incorporated herein by reference.

Neither reference exemplifies a toner comprising a magenta colorant as recited in the instant claim. However, each reference discloses that its respective toner may comprise a magenta color. Matsuoka, paragraph 0066; Hashimoto, col. 12, lines 59-60. Hashimoto discloses that the magenta colorant can be an azo compound.

Shimazaki discloses a magenta colorant comprising a mixture of 40 to 60 parts by weight of a rhodamine dye C.I. Solvent Red 49, and 60 to 40 parts by weight of C.I. Pigment Red 48, compound (2). Shimazaki, col. 2, line 55, to col. 3, line 11. Compound (2) meets the limitations of formula (1) recited in instant claim 37. Shimazaki discloses that toners comprising said magenta colorant have good weatherability properties, such as good light fastness and heat-resistance. Shimazaki also discloses that said toners provide clear magenta toner images and satisfactory hue. Col. 1, lines 51-55, and col. 4, lines 54-55.

It would have been obvious for a person having ordinary skill in the art, in view of the teachings of Shimazaki, to use Shimazaki's magenta colorant as the colorant in the toner disclosed by Matsuoka or Hashimoto, because that person would

have had a reasonable expectation of successfully obtaining a magenta toner having the benefits disclosed by Shimazaki.

15. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka combined with Japanese Patent 59-165069 (JP'069), as evidenced by the USPTO English-language translation of JP'069.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto combined with Shimazaki.

Matsuoka discloses a toner as described in paragraph 12 above, which is incorporated herein by reference.

Hashimoto discloses a toner as described in paragraph 13 above, which is incorporated herein by reference.

Neither reference discloses the use of a magenta colorant as recited in the instant claims. However, each reference discloses that its respective toner may comprise a magenta color.

Matsuoka, paragraph 0066; Hashimoto, col. 12, lines 59-60.

Hashimoto discloses that the magenta colorant can be an azo compound.

JP'069 discloses a magenta colorant that meets the limitations of formula (2) recited in instant claim 38. Translation, page 4, line 5. JP'069 discloses that toners comprising said magenta colorant have the required characteristics for color electrophotography, i.e., high

transparency, and provide stable images to heat and light. See JP'069, table at page 525; example 1; and translation, pages 5-6.

It would have been obvious for a person having ordinary skill in the art, in view of the teachings of JP'069, to use JP'069's magenta colorant as the colorant in the toner disclosed by Matsuoka or Hashimoto, because that person would have had a reasonable expectation of successfully obtaining a magenta toner having the benefits disclosed by JP'069.

16. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka combined with US 5,547,802 (Kawase).

Matsuoka discloses a toner as described in paragraph 12 above, which is incorporated herein by reference.

Matsuoka does not disclose that his toner particles have a ratio of volume-average particle diameter to number-average diameter as recited in instant claim 42.

Kawase discloses that in order to obtain images with excellent dot reproduction and sharpness, it is preferable that the volume mean diameter (Dv) of the toner particles be in the range of 3 to 9 μm , and that the ratio (Dv/Dp) of the volume mean particle diameter (Dv) to the number-average particle (Dp), be in the range of 1.00 to 1.15. Col. 18, lines 50-54. As discussed in paragraph 12 above, Matsuoka's toner particles have a volume-

average particle size of 7.8 μm , which is within the teachings of Kawase.

It would have been obvious for a person having ordinary skill in the art, in view of the teachings of Kawase, to adjust through routine experimentation the particle size of Matsuoka's toner particles such that Matsuoka's toner particles have a ratio of D_v/D_p of from 1 to 1.15 that meets the limitation recited in instant claim 42, because that person would have had a reasonable expectation of successfully obtaining a toner that provides images with excellent dot reproduction and sharpness.

17. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto combined with US 6,077,635 (Okado).

Hashimoto discloses a toner as described in paragraph 13 above, which is incorporated herein by reference.

Hashimoto does not disclose that his toner particles have the circularity as recited in instant claim 44.

Okado discloses a toner comprising toner particles having a circularity of from 0.920 to 0.995, containing particles with a circularity of less than 0.950 in an amount of from 2% by number to 40% by number, and having a weight-average particle size of from 2.0 to 9.0 μm , preferably from 4.0 to 8.0 μm , as measured by a Coulter counter, and a particular external additive. Col. 6, lines 51-64. As discussed in paragraph 13 above,

Hashimoto's toner particles have a weight-average particle size of 6.4 μm , which is within the teachings of Okado.

Okado discloses that if the circularity is less than 0.920, the external additive tends to localize on the toner particle surfaces, resulting in unstable image densities. If the circularity is more than 0.995, the external additive is held on the toner particle surfaces with difficulty, resulting in unstable charging which leads to fog formation. Col. 8, lines 52-58. Okado discloses that the toner particles can be obtained by a suspension polymerization method. Col. 10, lines 3-23. Okado's suspension polymerization is similar to that disclosed by Hashimoto. Okado discloses that the circularity distribution can be controlled by selecting the type and amount of dispersion stabilizer, agitation power, pH of the aqueous phase and polymerization temperature. Col. 10, lines 24-27.

Okado discloses that toners having the weight-average particle size disclosed by Okado provide high quality images. Col. 24, lines 33-38. Okado discloses that toners having a weight-average particle size of less than 2 μm have poor transfer efficiency, resulting in the formation of large quantities of residual toner on the photoconductor, which causes uneven images and melt-adhesion of the residual toner to the photoconductor. Toners having a weight-average particle size greater than 9 μm provide lower quality images, for example, images with black

spots around line images, and tend to cause melt-adhesion of toner to various members. Col. 24, lines 42-50.

Okado discloses that his toner particles combined with his particular external additive can provide fog-free images with superior image-density stability and minute-image reproducibility, without causing deterioration of the toner "in its long term service." Col. 6, lines 11-14. The external additives include (A) inorganic powder having an average particle size of from 10 μm to 400 μm and a shape factor SF-1 of from 100 to 130, and (B) a non-spherical inorganic powder having a SF-1 of greater than 150. Col. 6, lines 57-64.

It would have been obvious for a person having ordinary skill in the art to adjust the parameters in the suspension polymerization method used to obtain Hashimoto's toner particles as taught by Okado, such that Hashimoto's toner particles have a circularity that meets the limitation recited in the instant claim, and to add Okado's particular external additive to said resultant toner particles, because that person would have had a reasonable expectation of successfully obtaining a toner having the benefits disclosed by Okado.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janis L. Dote whose telephone number is (703) 308-3625. The examiner can normally be reached Monday through Friday.

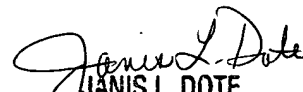
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Mark Huff, can be reached on (703) 308-2464. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9311 (Rightfax) for after final faxes, and (703) 872-9310 for other official faxes.

Any inquiry of papers not received regarding this communication or earlier communications, or of a general nature or relating to the status of this application or proceeding should be directed should be directed to the Customer Service Center of Technology Center 1700 whose telephone number is (703) 306-5665.

JLD
July 25, 2002


JANIS L. DOTE
PRIMARY EXAMINER
GROUP 1500
1700